REMARKS

The Examiner is thanked for the thorough examination of the above-referenced application and the allowance of claims 11-15, 26-30, 32, and 33. The Office Action, however, rejected claims 1-10, 16-25, and 31 under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent 6,330,602 to Law (hereafter "Law"). Applicant has canceled the rejected claims and added new claims 34-52, which clearly define over Law and the other cited art of record. Accordingly, Applicant submits that all pending claims are in condition for allowance.

Although the rejections have been rendered moot by the cancellation of the rejected claims, Applicant respectfully submits that the rejections were misplaced. In this regard, the system of Law is directed to a proxy/broker type of load-distribution architecture, in which a crucial functionality is positioned in mid-stream between client and server. The client does not make HTTP requests directly to the server nor does it receive responses directly from the server. Instead, the client makes requests of the proxy/broker (which Law calls a "depot"), which relays them on to the server. The server's responses are likewise relayed back to the client by the depot. This allows the depot to broker traffic, with respect to load distribution (by virtue of its midstream position), across the plurality of servers.

This is a fundamentally different architecture than the DNS-based load-distribution architecture described in the embodiments of the present application. In the architecture of Law, the client and server communicate directly. DNS nameservers provide the brokering functionality. Thus, those DNS nameservers can be used to monitor server status and in effect broker traffic by responding to client queries with addresses directing clients to one server or another. Even at the macro level this is clearly a different architecture.

Again, this discussion is provided merely to point out significant differences between the embodiments of the present application, as distinguished from the disclosure of Law. The rejections, however, are moot in view of the cancellation of the rejected claims.

Applicant has added new claims herein, which clearly define over the cited art of record. Independent claim 34 defines a system configured to redirect a client request to either a pool or group manager (hierarchically higher than the requested site manager). This allows the pool or group manager to reassign the request to a site within the pool or group, based on load or other management criteria. Independent claim 42 defines a system configured to redirect a client request to a site manager within a pool or group, when the client request is sent directly to a proper pool or group manager. The defined features of these claims clearly define over Law and the other cited art of record.

CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

No fee is believed to be due in connection with this Amendment and Response to Office Action. If, however, any fee is deemed to be payable, you are hereby authorized to charge any such fee to Hewlett-Packard Company's Deposit Account No. 80-2025.

Respectfully submitted,

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Please continue to send all future correspondence to:

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